

REMARKS/ARGUMENTS

Group I (claims 1-27 and 41-44) is drawn to slurry coating compositions, and substrates which can be covered by such compositions. Group II (claims 28-39) is drawn to a method of using the slurry coating composition; while Group III (claim 40) is drawn to a method for preparing the composition. It is Applicant's position that all of the claims covered by Groups I-III are part of a single inventive concept, which can be searched and examined as a single matter.

The Examiner submits that Groups I and II are related as product and process-of-use. The illustration given to support this proposition involves the use of the composition to aluminize a polymeric substrate. Applicant notes that the present invention is specifically directed to treatment of a metal substrate (e.g., see claim 1). The aluminiding of a plastic substrate in this technical context does not seem to represent a practical example suitable to support the Examiner's proposition.

The Examiner also submits that Groups I and III are related as process-of-making and product made. The illustration provided relates to the preparation of the slurry by forming a pre-blend of colloidal silica and stabilizer, followed by mixing the pre-blend with the aluminum powder. Applicant submits, however, that such an illustration is within the scope of the originally-claimed concept, and does not make the two inventions distinct from each other.

Applicant acknowledges that the invention of each of the three Groups may be primarily classified in a different class, as defined by the Manual of Classification. However, the system of cross-referencing in the Patent Office should allow one to search one class and readily locate relevant patents which are primarily classified in a different class. In other words, this type of subject matter can be readily searched in unitary fashion, without an undue effort on the part of the Patent Office.

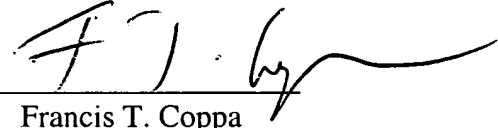
Thus, Applicant requests that the Restriction Requirement be withdrawn. Absent the withdrawal, it is requested that the Requirement be at least modified. For example, Groups I and III appear to be most clearly related as a single concept.

In response to paragraph 9 of the Office Action, Applicant acknowledges the obligation to amend inventorship if the cancellation of claims results in a change in that regard.

Finally, Applicant would like to note the existence of another pending patent application, S.N. 10/633,887, filed on August 4, 2003 (Docket 132497-1). The subject matter of that case differs from that of the present case, i.e., to a degree which would probably not involve submission of that case in the form of an Information Disclosure Statement. However, there are some similarities between the two cases, and it may be worthwhile for the Examiner to review the referenced case as well.

The undersigned would be happy to discuss any of these issues with the Examiner; a telephone number is provided below.

Sincerely,

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